

MINUTES – JUNE 21, 2004

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, June 21, 2004. Members present: Mel O. Battle, Chairman, Larry G. Hamlett, Vice-Chairman, Nathaniel Hall, Jack W. Hooper, Cathy W. Lucas, Kenneth D. Travis, and George W. Ward, Jr. Also present: Jeffrey H. Earp, County Manager, Gordon Bendall representing The Caswell Messenger, and Billy Baker representing The Danville Register & Bee. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Battle opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Commissioner Travis moved, seconded by Commissioner Hamlett to approve the agenda as presented. The motion carried unanimously with Commissioner Hooper absent.

APPROVAL OF CONSENT AGENDA

Commissioner Ward moved, seconded by Commissioner Travis to approve the Consent Agenda as presented. The motion carried unanimously with Commissioner Hooper absent.

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of April 19 and May 3, 2004 Meetings
- 2) Monthly Tax Report for May, 2004

Total Amount of Taxes Collected	\$198,092.73
Tax Maps/Cards	\$ 182.75
County Maps	\$ 67.15
2004 Tax Prepayments	\$ 2,130.41
Beer License	\$ 25.00
NSF Charge	\$ 25.00
- 3) Monthly EMS Billing Report for May, 2004

Total Billed	\$ 35,438.00
Total Collected	\$ 20,236.89
Total Claims Filed with Medicare	42
Total Claims Filed with Medicaid	26
Total Adjusted Private Pay	0
Total Adjusted Medicare/Medicaid	\$ 3,109.00

4) Budget Amendment No. 40 - DSS

PUBLIC COMMENTS

Chairman Battle opened the floor for public comments.

Mr. Fred Smith, 373 Main Street East, Yanceyville, came before the Board and stated that he would like to speak to the Board concerning its agenda item relating to the award of the Solid Waste Collection Contract. Mr. Smith stated that he has been heavily involved in civic organizations in the County for ten years and First Piedmont Corporation has been gracious every time it was asked to help. Mr. Smith requested that the Board look upon them highly and noted that sometimes the lowest bidder is not the best for the County in the long run. Mr. Smith added that he is in favor of the Board awarding the solid waste contract to First Piedmont Corporation.

(Commissioner Hooper entered the meeting at this time).

BOARD OF EQUALIZATION AND REVIEW

Chairman Battle moved, seconded by Commissioner Travis that the Board of Commissioners recess as the Board of Commissioners and reconvene as the Board of Equalization and Review. The motion carried unanimously.

Mr. Thomas Bernard, Tax Director, and Mr. Tommy Blount, representing Pearson Appraisal Company were in attendance at the Board of Equalization and Review. Mr. Bernard informed the Board that they needed to schedule a formal adjournment of the Board of Equalization and Review.

Mr. Bernard reported that when the Board of Equalization and Review met on June 7, 2004, Mr. George Brumfield came before them and asked that his two parcels of property be separate and have two tax bills. Mr. Bernard stated that Mr. Brumfield purchased two lots and then purchased a 1.97 acre tract. Mr. Bernard added that this was done in the survey as an add-on. Mr. Bernard stated that this was approved as an add-on and, therefore, becomes part of the property. Mr. Bernard added that Mr. Brumfield's property cannot be separated as he requested.

Mr. Bernard reported that Mr. Mark Jeffries appeared before the Board of Equalization and Review at its June 7, 2004 meeting and informed them that he had not received his second notice after meeting with the appraiser. Mr. Bernard stated that when he informed Mr. Jeffries of the adjusted value of his property and that a shed had been removed from the valuation, he was satisfied and added that he did not need to come back before the Board.

Mr. Bernard reported that Mr. David Horne appeared before the Board of Equalization and Review at its June 7, 2004 meeting concerning his valuation. Mr. Bernard stated that Mr. Pearson rechecked Mr. Horne's property and noted that his land was bought as lots

and remains as lots and has to remain valued as such because he has not done a recombination deed or a survey to make it a larger tract. Mr. Bernard informed the Board that Mr. Pearson told Mr. Horne that the house is 85% complete and is 15% functional. Mr. Bernard reported that Mr. Horne's house was valued at \$68,825 and after further review recommended that it be reduced to \$56,680. Mr. Bernard stated that there was one land line that was not in compliance with the neighborhood and recommended that the value of this tract of land be reduced from \$29,484 to \$22,522.

Mr. Bernard reported that Mr. & Mrs. James White appeared before the Board of Equalization and Review at its June 7, 2004 meeting and requested that the valuation of their property be lowered. Mr. Bernard informed the Board that after further review of Mr. White's property, he recommended based on the appraiser's information that there be no change in the valuation of the land, but suggested an interior visit of the home.

Mr. Bernard reported that Mr. Otis Terrell appeared before the Board of Equalization and Review at its May 17, 2004, meeting and requested that the valuation of his property at Hyco Lake be lowered. Mr. Bernard informed the Board that after further review of Mr. Terrell's property, he recommended based on the appraiser's information that there be no change in the valuation of the property.

Mr. Jerry Poteat of 5727 Ridgeville Road, Prospect Hill came before the Board and stated that he would like to have the valuation of his property lowered. Mr. Poteat informed the Board that the valuation of his property increased from \$78,000 to \$93,000. Mr. Poteat added that he felt \$88,000 would be a fair value. Mr. Tommy Blount reviewed Mr. Poteat's property valuation with the Board and noted comparable sales in the area which reflected increases in valuation of 25% and 17%, while Mr. Poteat's increase averaged 19%. Mr. Blount stated that he felt Mr. Poteat's valuation is in line.

Mr. Dorsey Wiley, Jr. of 4798 Hwy 158, Yanceyville came before the Board and stated that he and his brother, Elliott Wiley, met with the appraisal representatives concerning the valuation of this property which increased by 18%. Mr. Wiley informed the Board that the property consists of approximately 90 acres with 10 acres being clear. Mr. Wiley added that the house is 53 years old, he and his brother come there periodically and they maintain the property, but they do not live there. Mr. Wiley stated that he is aware that he can contact the Forestry Service and enroll in the Land Use Program and his taxes would be reduced. Mr. Wiley added that he is asking that his taxes not be increased by this amount.

Mr. Steve Williams of Raleigh came before the Board and stated that he owns property located on 170 Broad Street in Milton. Mr. Williams stated that the tax value for the past two years that he has owned this property was \$29,922 and the reassessment increased the value to \$69,602. Mr. Williams informed the Board that this house is very old, is uninhabitable and they are in the process of renovating it. Mr. Williams added that the house has no kitchen, no plumbing, no electricity, no bathrooms, etc. Mr. Williams requested that the valuation of his property be adjusted.

In reviewing Mr. George Brumfield's request, Mr. Bernard informed the Board that the second parcel of land was an add-on, and therefore, there was no recommendation for any action from the Board. The Board took no action on this request.

In reviewing Mr. Mark Jeffries' request, Mr. Bernard informed the Board that Mr. Jeffries had not received his second notice indicating the adjustments that had been made, but is aware now and is satisfied. The Board took no action.

In reviewing Mr. David Horne's request, Mr. Bernard recommended based on the appraiser's information that the value of Mr. Horne's house be reduced from \$68,825 to \$56,680 and the value of the land be reduced from \$29,484 to \$22,522. Commissioner Hooper moved, seconded by Commissioner Lucas to accept the recommendation of the Tax Director. The motion carried unanimously.

In reviewing Mr. James White's request, Mr. Bernard recommended based on the appraiser's information that there be no change in valuation to the land. After further discussion, Commissioner Hamlett moved, seconded by Commissioner Ward that the White property be revisited for further review, to include an interior inspection of the house. The motion carried unanimously.

In reviewing Mr. Otis Terrell's request, Mr. Bernard recommended based on the appraiser's information that there be no change. Chairman Battle moved, seconded by Commissioner Hall to accept the recommendation of the Tax Director. The motion carried unanimously.

In reviewing Mr. Jerry Poteat's request, Chairman Battle moved, seconded by Commissioner Hamlett that the Poteat property be revisited for further review. The motion carried unanimously.

In reviewing Mr. Dorsey Wiley's request, Chairman Battle moved, seconded by Commissioner Hamlett that the Wiley property be revisited for further review, in particular, the amount of forest land. The motion carried unanimously.

In reviewing Mr. Steve Williams' request, Chairman Battle moved, seconded by Commissioner Travis that the Williams property be revisited, including the interior of the house. The motion carried unanimously.

Chairman Battle moved, seconded by Commissioner Travis that the Board of Equalization and Review officially adjourn on Monday, June 28, 2004. The motion carried unanimously.

Chairman Battle moved, seconded by Commissioner Travis that the Board of Equalization and Review recess until Monday, June 28, 2004, at 6:30 p.m. and to reconvene as the Board of Commissioners. The motion carried unanimously.

NEW COURTHOUSE REVITALIZATION PROJECT

Mr. John I. Satterfield, Clerk of Superior Court, came before the Board to discuss the New Courthouse Revitalization Project. Mr. Satterfield presented and reviewed three estimates for the phase of the project for refurnishing of furniture in the Clerk of Court's Office, as well as 39 banker chairs. Mr. Satterfield presented the following quotes:

SUMMARY

	McThrift (<i>Allsteel</i>)	Storr (<i>Steelcase</i>)	Thrifty (<i>Hon</i>)
CSC OFFICE (8 workstations)	\$14,866.04	\$14,792.94	\$13,685.00
CSC Task Chairs (10)	\$ 2,537.00	\$ 2,897.00	\$ 2,190.00
Banker Chair (39)	\$ 5,967.00	\$ 7,746.57	\$ 5,304.00
Public Area in CSC Office & CSC Breakroom (2 tables, 8 chairs)	\$ 969.52	\$ 1,685.74	\$ 1,358.00
Shipping	\$0	\$ 1,064.48	\$ 250.00
Installation	\$0	\$ 1,614.38	\$0
Total less tax	\$24,359.56	\$29,801.11	\$22,787.00

Note: McThrift and Thrifty office furniture is on NC State Contract.

Mr. Satterfield reported that he has personally looked at the furniture from the two lowest bidders, McThrift and Thrifty Office Furniture and noted that the two manufacturers of these companies are Allsteel and Hon and they are the same company. Mr. Satterfield stated that he talked to the representatives to determine the difference in the Allsteel and Hon line. Mr. Satterfield added that the Allsteel brand is a thicker gauge steel than Hon and should last longer and the Hon product has plastic parts for the raceways for the drawers while Allsteel has metal. Mr. Satterfield recommended that the Board approve the purchase of furniture from McThrift Office Furniture which features the Allsteel brand. Commissioner Lucas asked if this quote included furniture for Mr. Satterfield's office. Mr. Satterfield answered that this quote does not include his office, and his furniture would be included in Phase III of the project.

After further discussion, Commissioner Hooper moved, seconded by Commissioner Ward to accept the recommendation of the Clerk of Superior Court and approve the purchase of Allsteel furniture at a cost of \$24,359.56, from McThrift Office Furniture Company, as presented.

Upon questioning from Commissioner Lucas, Mr. Satterfield answered that the balance left in Court Facilities Fees after the installation of carpet, purchase of furniture, and Courthouse foundation repair (\$19,000) would be approximately \$33,000.

Upon a vote of the motion, the motion carried unanimously.

SOLID WASTE COLLECTION CONTRACT

Mr. Jeff Earp, County Manager, reported that the Board discussed the award of the Solid Waste Collection Contract at its last meeting and it was placed back on the agenda so that the Solid Waste Director could answer any questions concerning the proposed contracts and to inform them that there has been an increase in fees from the CPI. Mr. Tim Smith, Solid Waste Director, reported that at the last meeting the Board reviewed the bids received for the Solid Waste Contract and found that Waste Industries had underbid First Piedmont Corporation by \$39,000. Mr. Smith stated that at the time the bids were prepared, no one knew what kind of CPI (Consumer Price Index) increase there would be for next year's disposal cost. Mr. Smith added that First Piedmont Corporation informed him last week that there would be an increase of 2.3% (\$1.54) and this would raise fees from \$28.96 per ton to \$30.50 per ton. Mr. Smith clarified that the increase was, in actuality, 67 cents, but the County's host fee is 87 cents, which will total \$1.54. Ms. Cyril Sellers, representing First Piedmont Corporation, stated that Caswell County's garbage is hauled to Person County, the host county and the 87 cents is paid to the host county. Mr. Smith noted that this increase will affect everyone's bid.

Mr. Smith reported that since the CPI fee has been determined, Waste Industries has adjusted its proposed fee which was \$26.59 per ton to \$27.20 per ton, which is still below First Piedmont Corporation and this would increase the difference in the two proposals from \$39,000 to \$42,000.

Commissioner Lucas noted that the Board has not reviewed the Solid Waste budget in its budget deliberations for fiscal year 2004-2005 and they need this information concerning the CPI rate for its consideration.

Chairman Battle asked since Solid Waste is an Enterprise Fund and the Board is currently in the budget process for 2004-2005, would this contract need to be approved prior to adoption of the budget. Mr. Earp answered that the Solid Waste Contract would need to be approved prior to adoption of the budget. Chairman Battle asked couldn't the budget be adopted and amended if necessary. Mr. Earp answered that this would be possible because the Solid Waste Contract does not expire until August 31, 2004.

Commissioner Lucas stated that she would like to know before tomorrow's budget workshop if the Scrap Tire Disposal contract could be reduced from a five-year to a three-year period.

APPOINTMENTS TO AGRICULTURAL ADVISORY COMMITTEE

Commissioner Hall moved, seconded by Commissioner Travis to appoint Mr. John M. Shumaker, Mr. G. Hester Vernon, and Mr. Donald G. Shaw to the Agricultural Advisory Committee. The motion carried unanimously.

APPOINTMENT TO BOARD OF HEALTH

Commissioner Hall moved, seconded by Commissioner Travis to reappoint Ms. Susan B. McWhorter to the Board of Health. The motion carried unanimously.

APPOINTMENT TO PIEDMONT EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

Chairman Battle moved, seconded by Commissioner Hamlett to appoint Mr. Joel Lillard to the Piedmont Emergency Medical Services Advisory Council. The motion carried unanimously.

APPOINTMENTS TO PLANNING COMMITTEE FOR SERVICES TO THE ELDERLY

Commissioner Travis moved, seconded by Commissioner Hall to appoint Ms. Kaye Cobb, Ms. Alvera L. Lipscomb, Ms. Estella L. Jeffries, Ms. Edith S. Gentry, and Ms. Brenda S. Apple to the Planning Committee for Services to the Elderly. The motion carried unanimously.

COUNTY MANAGER'S REPORT

Mr. Jeff Earp, County Manager, presented a request from Ms. Lib McPherson, President, Caswell County Historical Association, for a letter of endorsement from the Board for a project they are undertaking. Mr. Earp reported that the Historical Association is in the process of developing plans to create a Heritage Village, which would be located on land adjacent to the Miles-Richmond Historical Museum. Mr. Earp stated that the concept of this Heritage Village would be to place historical buildings on the lot in order to create small retail spots and open a small farmer's market and their hope is to create a revenue stream to offset costs of running the Museum. Mr. Earp added that the Historical Association plans to seek grant funding to pay for the project and is not requesting funds from the County, but would like a letter of endorsement in order to strengthen their position to attract grant funding. Chairman Battle stated that he felt it would be appropriate for the Historical Association to apply for the grant first and after the Board learns the particulars of the grant, then a letter of endorsement could be attached.

Mr. Earp requested that discussion of the Scrap Tire Contract be tabled until a future meeting. The Board was agreeable to this.

Mr. Earp reported that it is time for the County to renew its contract to have its indirect cost figured on an annual basis. Mr. Earp stated that the County currently uses Maximus and they have agreed to extend its contract for a three-year period at the same cost as the last three years. Mr. Earp presented a proposed contract to extend this service for three more years. After discussion, Chairman Battle moved, seconded by Commissioner Travis to award a three-year contract to Maximus to prepare and negotiate the County's indirect cost allocation plan. The motion carried unanimously.

Mr. Earp reported that as the County approaches the end of the fiscal year, it is time to make year-end adjustments to the budget. Mr. Earp stated that it has been the practice of the Board in the past three years to allow him to approve budget amendments to transfer funds in order to complete the fiscal year-end process. Mr. Earp requested that the Board allow him to approve budget amendments for the month of June, 2004 and he would provide them at its July meeting a copy of all budget amendments approved. After discussion, Chairman Battle moved, seconded by Commissioner Hall to grant the County Manager the authority to approve budget amendments for the month of June, 2004 in order to complete the fiscal year-end process. The motion carried unanimously.

Mr. Earp reported that it has been the practice of the Board of Commissioners to adjust its July meeting schedule by canceling its first meeting of the month and meeting only on the third Monday of the month. Chairman Battle moved, seconded by Commissioner Travis that the Board of Commissioners cancel its regular meeting of Monday, July 5, 2004. The motion carried unanimously.

Mr. Earp reported that he has had conversations with Board members and has also received several complaints from citizens in the Cherry Grove community concerning a farm located on Cannonball Road that is being leased out for large festivals and events. Mr. Earp stated that the complaints were issues concerning traffic, safety, and noise. Mr. Earp added that the County has a Noise Ordinance that addresses noise, but only after certain hours of the day. Mr. Earp requested the Board's guidance in regards to governing such events. Commissioner Hall stated that this is something that should be addressed by the Planning Board and felt that when 10,000 people gather for an event on the weekend, there needs to be guidelines. Commissioner Lucas stated that if something is proposed, it should be careful not to interfere with events such as the Bright Leaf Hoedown, Pelham Summer Fest, Providence Spring Fling, and even family gatherings.

Mr. Earp shared with the Board a letter he sent to Mr. Kent Rimmer regarding the convenience center located at the former Talley's Store in the Prospect Hill community.

OTHER BUSINESS

Commissioner Lucas brought to the Board's attention a Resolution entitled, "*Resolution Supporting the Historical Recognition of God as a Foundation of our National Heritage*"

which was included in the agenda package and unanimously adopted by the Washington County Board of Commissioners at its regular meeting held on April 5, 2004. Commissioner Lucas moved, seconded by Commissioner Hamlett that the Caswell County Board of Commissioners adopt the following "*Resolution Supporting the Historical Recognition of God as a Foundation of Our National Heritage*". The motion carried by a vote of six to one with Commissioner Hall voting no.

**RESOLUTION SUPPORTING THE HISTORICAL RECOGNITION OF GOD AS A
FOUNDATION OF OUR NATIONAL HERITAGE**

WHEREAS, as a historical proposition, our Government was founded upon a trust in God that began when our Founding Fathers proclaimed in America's first official Document, our Declaration of Independence, that our rights to "life, liberty, and the pursuit of happiness", were not given to us by government, but by God "our creator", the "Supreme Judge of the World"; and

WHEREAS, it is a fact that a majority of those who drafted and signed the United States Constitution had a strong belief and trust in God and never intended that government be hostile to the free exercise of religion, only that each citizen can be free to choose on a personal basis how to worship, or to worship; and

WHEREAS, the recognition of God by our Government was further established when Congress, in 1954, added the phrase "ONE NATION UNDER GOD" to our Pledge of Allegiance, followed in 1956 by the official establishment of "IN GOD WE TRUST" as our National motto; and

WHEREAS, there is now a growing demand by some within the Judicial System to remove all visible recognition of God from public institutions, we need to remind all that the God of our Founding Fathers is important to our National Heritage, and that Judeo-Christian legal concepts, such as the Ten Commandments, are a foundation of American law, moral values, and code of conduct.

THEREFORE, we urge all American citizens to proclaim to every level of Government (Local, State, and Federal) its responsibility to publicly recognize the historical role of God in our nation's beginnings as evidenced in our Founding Documents; the Declaration of Independence, the Constitution of the United States, and the Constitution of North Carolina, as part of our national and state heritage . . . **LEST OUR NATION AND STATE FORGET AND OUR CHILDREN NEVER KNOW!**

ADOPTED THIS THE 21ST DAY OF JUNE, 2004.

S/M. O. Battle
M. O. Battle, Chairman
Caswell County Board of Commissioners

ATTEST:

S/Wanda P. Smith
Wanda P. Smith
Clerk to the Board

CLOSED SESSION

Chairman Battle moved, seconded by Commissioner Hamlett that the Board enter into closed session to consider the compensation, terms of appointment, and performance of an individual public officer (NCGS 143-318.11(a)(6)). The motion carried unanimously.

REGULAR SESSION

Commissioner Travis moved, seconded by Commissioner Hall to resume regular session. The motion carried unanimously.

OTHER BUSINESS

Commissioner Hall stated that he felt it is vital that a meeting be held with Mr. Ben Davenport, to discuss the broadband internet proposal. After discussion, it was agreed that the Internet Subcommittee, along with the County Manager, meet with Mr. Ben Davenport to discuss the broadband internet proposal.

Commissioner Hall stated that several years ago the Board of Commissioners initiated a meeting with City of Danville officials and he felt, due to a number of current projects, that it would be timely to meet with them again. The County Manager was instructed to schedule a meeting with City of Danville officials to discuss a number of on-going projects.

Chairman Battle reported that the paving of the Recreation Department parking lot began last week and should be completed this week.

Commissioner Lucas questioned the status of the confinement of lions and tigers in the County. Mr. Earp reported that the lions and tigers are currently in the County, are secured, and there is no local or state Ordinance that prohibits this. Upon questioning from Commissioner Lucas, Mr. Earp answered that USDA has approved the site, contingent upon the property owners erecting a perimeter fence. Commissioner Lucas

noted that there are bans in other counties and states against the confinement of wild animals because it is a safety issue.

Commissioner Hall who is currently serving as Chairman of the Piedmont Triad Council of Governments reported that the Council is beginning to think regionally and the counties are joining to work together.

Chairman Battle moved, seconded by Commissioner Travis to establish a Physician Extender II position at the Caswell County Health Department at an annual salary range of \$56,565 - \$66,080 and that this employee abide by the Caswell County Personnel Policy. The motion carried unanimously.

THE ADJOURNMENT

At 8:45 p.m. Commissioner Travis moved, seconded by Commissioner Hamlett to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

M. O. Battle
Chairman
